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PTO/SB/05 (2/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. IB-1330-1
First Inventor or Application Identifier Shimon Weiss et al.
Title Organo Luminescent Semiconductor Nanocrystal...
Express Mail Label No. EI213493208US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages 30]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
4. Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. ☐ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 - * Small Entity ☒ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Statement(s) ☒ Status still proper and desired (PTO/SB/09-12)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other:

* NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08 / 978,450
Prior application Information: Examiner Jack I. Berman Group / Art Unit: 2878

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

or ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

| | | | | | |
|---------|---|-----------|----------------|----------|----------------|
| Name | John P. Taylor, Patent Attorney | | | | |
| | c/o Office of the Laboratory Counsel | | | | |
| Address | Mail Stop 90-1121, Ernest Orlando Lawrence Berkeley National Laboratory | | | | |
| | 1 Cyclotron Road | | | | |
| City | Berkeley | State | California | Zip Code | 94720 |
| Country | U.S.A. | Telephone | (909) 699-7551 | Fax | (909) 699-7852 |

| | | | |
|-------------------|-----------------------|-----------------------------------|--------------|
| Name (Print/Type) | John P. Taylor | Registration No. (Attorney/Agent) | 22,369 |
| Signature | <i>John P. Taylor</i> | Date | July 8, 1999 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL
for FY 1999Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$) 380.00

Complete if Known

| | |
|----------------------|------------------------------|
| Application Number | Continuation of USSN 08/978, |
| Filing Date | Herewith |
| First Named Inventor | Shimon Weiss et al. |
| Examiner Name | Jack I. Berman |
| Group / Art Unit | 2878 |
| Attorney Docket No. | IB-1330-1 |

450

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 20-0092

Deposit Account Name

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR §§ 1.16 and 1.17

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Money Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 760 | 201 380 | Utility filing fee | 380 |
| 106 310 | 206 155 | Design filing fee | |
| 107 480 | 207 240 | Plant filing fee | |
| 108 760 | 208 380 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 380

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 20** | | X | |
| 3** | | X | |
| Multiple Dependent | | | |

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 78 | 202 39 | Independent claims in excess of 3 |
| 104 260 | 204 130 | Multiple dependent claim, if not paid |
| 109 78 | 209 39 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 380 | 216 190 | Extension for reply within second month | |
| 117 870 | 217 435 | Extension for reply within third month | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | |
| 119 300 | 219 150 | Notice of Appeal | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | |
| 121 260 | 221 130 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | |
| 143 430 | 243 215 | Design issue fee | |
| 144 580 | 244 290 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 760 | 246 380 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 760 | 249 380 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) _____ | | | |
| Other fee (specify) _____ | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

| | | | | | |
|-------------------|----------------|-----------------------------------|--------------|-----------|----------------|
| Name (Print/Type) | John P. Taylor | Registration No. (Attorney/Agent) | 22,369 | Telephone | (909) 699-7551 |
| Signature | John P. Taylor | Date | July 8, 1999 | | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shimon Weiss et al.

Serial No.: 0 8 / 978,450

Group No.: 2878

Filed: November 25, 1997 Examiner: Jack I. Berman

For: ORGANO LUMINESCENT SEMICONDUCTOR NANOCRYSTAL PROBES FOR BIOLOGICAL APPLICATIONS AND PROCESS FOR MAKING AND USING SUCH PROBES

Assistant Commissioner for Patents

Washington, D.C. 20231

NOTIFICATION OF FILING OF CONTINUING,
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a:

- ☒ continuation
☐ continuation-in-part
☐ divisional
☐ continued prosecution

application for this case

- ☒ concurrently herewith.
☐ on _____

Date

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 CFR 1.8(a)

- ☐ with sufficient postage as first class mail.

37 CFR 1.10*

- ☒ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory) EI2134932Q8US.

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office

Signature

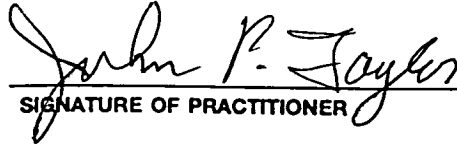
John P. Taylor

(type or print name of person certifying)

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Notification of Filing of Continuing, Divisional or Continued Prosecution Application [4-9] (page 1 of 2))


SIGNATURE OF PRACTITIONER

Reg. No. 22,369

John P. Taylor

Tel. No.: (909) 699-7551

(type or print name of practitioner)
c/o Office of the Laboratory Counsel
Mail Stop 90-1121

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